

RECORDED  
COURT OF APPEALS FOR THE  
FEDERAL CIRCUIT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APR 14 2005

First Named  
Inventor : Sheila J. Kelly

Appln. No.: 10/027,464

Filed : December 20, 2001

For : COMPOSITE BIOCOMPATIBLE  
MATRICES

Docket No.: S16.12-0123

Group Art Unit: 1559

Examiner:  
Jean C. Witz

## CERTIFICATION OF TELEFACSIMILE TRANSMISSION

Commissioner for Patents  
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Alexandria, VA 22313-1450

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Sir:

I certify that the following papers are being telefacsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

1. Request for Continued Examination
2. Petition for Three-Month Extension of Time
3. Amendment to Accompany RCE
4. Power of Attorney/Change of Address

WESTMAN, CHAMPLIN &amp; KELLY, P.A.

Date:

April 14, 2005 By: Hallie A. Finucane

Hallie A. Finucane, Reg. No. 33,172  
Suite 1600 - International Centre  
900 Second Avenue South  
Minneapolis, Minnesota 55402-3319  
Phone:(612)334-3222 Fax:(612)334-3312

HAF:ims

17 PAGES - INCLUDING COVER PAGE

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PTO/SB/30 (08-00)

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

<b>Application Number</b>	10/027,464
<b>Filing Date</b>	December 20, 2001
<b>First Named Inventor</b>	Sheila J. Kelly
<b>Group Art Unit</b>	1559
<b>Examiner Name</b>	Jean C. Witz
<b>Attorney Docket Number</b>	S16.12-0123

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

*NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14885 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.*

**1. Submission required under 37 C.F.R. § 1.114**

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_ (Any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii.  Other \_\_\_\_\_
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other \_\_\_\_\_

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(j) required)
- b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees if not otherwise paid, or credit any overpayments, to Deposit Account No. 23-1123
  - i.  RCE fee required under 37 C.F.R. § 1.17(e) \$790.00
  - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) \$1,020.00
  - iii.  Other \_\_\_\_\_
- b.  Check in the amount of \_\_\_\_\_ enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Hallie A. Finucane	Registration No. (Attorney/Agent)	33,172
Signature	<u>Hallie A. Finucane</u>	Date	4/14/2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Hallie A. Finucane	Date	4/14/2005
Signature	<u>Hallie A. Finucane</u>	Date	4/14/2005

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND COMPLETED FORMS TO THE FOLLOWING ADDRESS: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.